

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of : Customer Number: 83729
David W. Morris, et al. : Confirmation Number: 2348
Application No.: 10/663,431 : Tech Center Art Unit: 1642
Filed: September 15, 2003 : Examiner: YAO, Lei
:

For: NOVEL THERAPEUTIC TARGETS IN CANCER

NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being electronically-transmitted to the
United States Patent and Trademark Office on July 13, 2009.

/Carrie Hines/

Carrie Hines

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated January 12, 2009 of the Primary Examiner finally rejecting claims 74, 75-78, 90, 93 and 94.

Appeal Fee: \$270.00

Charge to Deposit Account No. 502624.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

/Astrid R. Spain/
Astrid R. Spain
Registration No. 47,956
**Please recognize our Customer No. 83729
as our correspondence address.**

11682 El Camino Real, Suite 400
San Diego, CA 92130
Phone: 858.720.3300 ARS:cjh
Facsimile: 858.720.7800
Date: July 13, 2009